

HOUSE BILL No. 4115

February 7, 1991, Introduced by Reps. Sikkema, Dalman, Middaugh, Gilmer, Martin, Jaye, DeLange, Oxender, Pitoniak, Nye and London and referred to the Committee on Judiciary.

A bill to amend section 6a of Act No. 372 of the Public Acts of 1927, entitled as amended

"An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license; and to repeal all acts and parts of acts inconsistent with the provisions of this act,"

as amended by Act No. 345 of the Public Acts of 1980, being section 28.426a of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 6a of Act No. 372 of the Public Acts of
2 1927, as amended by Act No. 345 of the Public Acts of 1980, being
3 section 28.426a of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 6a. (1) A concealed weapons licensing board may issue
6 to any bank, trust company, armored car company, railway company,

1 express company, or other company, institution, copartnership, or
2 individual having in its, their, or the individual's possession
3 large sums of money or other valuables, a license authorizing the
4 licensee to equip the premises or vehicles under its, their, or
5 the individual's control with gas ejecting devices to be used
6 solely for the purpose of protecting those premises or vehicles
7 and the persons or property ~~therein~~ IN THE PREMISES OR VEHICLES
8 from criminal assaults.

9 (2) The director of the department of state police shall
10 promulgate rules ~~which shall~~ TO govern the issuing of the
11 license and the making of an application for the license. The
12 rules shall be promulgated pursuant to THE ADMINISTRATIVE PROCE-
13 DURES ACT OF 1969, Act No. 306 of the Public Acts of 1969, as
14 amended, being sections 24.201 to ~~24.315~~ 24.328 of the Michigan
15 Compiled Laws. The concealed weapons licensing board may issue
16 to any company, copartnership, or individual under the limita-
17 tions and pursuant to the rules promulgated by the director of
18 the department of state police a license authorizing the corpora-
19 tion, copartnership, or individual to manufacture or sell, or
20 both, a gas ejecting or emitting weapon, cartridge, or device to
21 any person authorized by law to possess the weapon, cartridge, or
22 device.

23 (3) For purposes of this section, "gas ejecting device"
24 means a device designed for the purpose of rendering a person
25 either temporarily or permanently disabled by the ejection,
26 release, or emission of a gas or other substance.

1 (4) A license shall not be required under this section for
2 the sale, purchase, or possession of a ~~CS~~ SELF-DEFENSE SPRAY
3 device, as defined in section 224d of THE MICHIGAN PENAL CODE,
4 Act No. 328 of the Public Acts of 1931, being section 750.224d of
5 the Michigan Compiled Laws.

6 Section 2. This amendatory act shall not take effect unless
7 Senate Bill No. _____ or House Bill No. 4116 (request
8 no. 01242'91) of the 86th Legislature is enacted into law.